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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,785	12/02/2003	Sang-Hyuck Jung	678-1132 (P10748)	3822
28249	7590	09/12/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			STEIN, JULIE E	
			ART UNIT	PAPER NUMBER
			2685	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/725,785	JUNG, SANG-HYUCK	
	Examiner	Art Unit	
	Julie E. Stein, Esq.	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 8-15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Mobile Communication Device Having a Sliding Cover.

Claim Objections

3. Claim 10 is objected to because of the following informalities: In line 15, it appears that "locking groove" should be "locking plate". Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language..

5. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent Application No. 2003/0171133 to Mizuta et al.

Mizuta discloses all the elements of independent claim 1, including a mobile communication device (Figures 1A-2B) comprising: a main body (100) including a liquid crystal display (101) and guide holes formed at both sides of the liquid crystal display (Figure 3, elements 100c); a slide cover (Figures 1A-2B, element 200) which includes a speaker (Figures 1A-2B, element 201) and is slidable over a front surface of the liquid crystal display in a longitudinal direction (paragraph 52) with respect to the main body; a pop-up module connected to the slide cover and inserted into the guide holes for sliding the slide cover over the front surface of the liquid crystal display (Figure 3, elements 200a and 200b); and a side grip provided at a side surface of the main body so as to fix a position of the pop-up module (Figures 1A and 2A, element 104 and paragraph 54).

Mizuta also discloses all the elements of claim 2, including wherein guide grooves are formed at both sides of the liquid crystal display in the longitudinal direction to guide the slide cover. See Figure 3, element 100c.

Mizuta also discloses all the elements of claims 3 and 4, including wherein the liquid crystal display serves as a main liquid crystal display when the slide cover is slid away from the main body during use of the mobile communication device to expose the entire liquid crystal display, and serves as a sub-liquid crystal display when the slide cover is slid towards the main body during nonuse of the mobile communication device so as to partially expose the liquid crystal display. See paragraphs 52 and 62-67.

Mizuta also discloses all the elements of claims 5 and 6, including wherein the pop-up module includes: a head section connected to the slide cover (Figure 3, elements 200a); at least one bar installed at an end of the head section (including a

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connection plate for connecting the at least one bar to an other bar (Figure 3, elements 200a and 200b)) and inserted into the corresponding guide holes (Figure 3, elements 200b and 100c); and a compression spring installed within the bar for providing elastic force as the bar is slid towards or away from the main body (paragraph 54).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuta in view of U.S. Patent No. 6,272,324 to Rudisill.

Mizuta teaches all the elements of claim 7, including wherein the coiled compression spring is installed within the at least one bar (paragraph 54), and a locking groove is formed in a lower end of the at least one bar (Id.). However, Mizuta does not teach a flexible circuit is installed within an other bar. But, Rudisill teaches that the use of flexible circuits to connect separate components of mobile phones is well known and that although possibly problematic in flip-style phones, has been used to establish necessary electrical connections through, for example, hinges in mobile phones. See column 1, lines 15 to 47. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the slidable phone of Mizuta to include a flexible circuit in one of the guide legs, for example 200g, in order to ensure

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electrical connection between speaker 201 and the main portion of the mobile phone 100.

Allowable Subject Matter

8. Claims 8-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not teach the combination of the elements recited in claim 1, such as a main body, a slide cover, a pop-up module, and a side grip, in combination with the recited elements in claim 8, such as where the side grip includes a locking plate having the recited configuration, and installed in the recited configuration in addition to a locker unit positioned on the external surface of the side grip. All of the remaining dependent claims are dependent on claim 8 and add further limitations.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent Nos. 6,009,338 to Iwata et al. teaches a slidable mobile phone cover and 5,960,332 to Michalzik teaches a method of locking the top and bottom of a mobile phone together.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie E. Stein, Esq. whose telephone number is (571) 272-7897. The examiner can normally be reached on M-F (8:30 am-5:00 pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JES

Nguyen Vo
9-3-2005

NGUYENT.VO
PRIMARY EXAMINER